

research and development projects, and related activities.

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

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### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Springback Predictability Venture**

Notice is hereby given that, on February 26, 1996, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), parties to the Springback Predictability Venture filed notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Aluminum Company of America, Alcoa Technical Center, Alcoa Center, PA; The Budd Company, Troy, MI; Chrysler Corporation, Auburn Hills, MI; Environmental Research Institute of Michigan, Ann Arbor, MI; Ford Motor Company, Dearborn, MI; General Motors Corporation, Warren, MI; and US Steel Group, USX Corporation, Troy, MI. The purpose of the joint venture is to conduct certain specified research to develop and validate a three-dimensional computer code to accurately predict stress, strain, fracture and geometrical imperfection, such as highs, lows, wrinkles and sidewall curling, in sheet metal draw, restrike and flanging dies, with an emphasis on springback after removal from the die and after trimming, using an incremental theory of elasto-plasticity. The activities of this project will be partially funded by an award from the Advanced Technology Program, National Institute of Standards and Technology, Department of Commerce.

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

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### **Drug Enforcement Administration**

[Docket No. 94-81]

#### **Shahid Musud Siddiqui, M.D.; Revocation of Registration**

On September 8, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Shahid Musud Siddiqui, M.D. (Respondent), of Brooklyn, New York, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AS5232979, under 21 U.S.C. 824(a)(4) and (5), and deny any pending applications for renewal of this registration under 21 U.S.C. 823(f), because his continued registration under 21 U.S.C. 823(f), because his continued registration would be inconsistent with the public interest, and because he had been mandatorily excluded from participation in a program pursuant to 42 U.S.C. 1310a-7(a).

In a letter dated September 21, 1994, the Respondent, through counsel, requested a hearing, and the matter was docketed before Administrative Law Judge Paul A. Tenney. The Respondent requested numerous delays. On March 16, 1995, he filed his Prehearing Statement, writing that at that time he was proceeding *pro se* in this matter.

On September 1, 1995, counsel for the Government filed a Motion for Summary Disposition, asserting that the Respondent was not duly authorized to possess, prescribe, dispense, or otherwise handle controlled substances under State law in the State of New York, the jurisdiction in which he is registered with the DEA. Attached to the motion was a copy of the State of New York Department of Health, State Board for Professional Medical Conduct's (Medical Board) Determination and Order dated October 26, 1994, revoking the Respondent's license to practice medicine in the State of New York. Also attached was a copy of the Administrative Review Board's Decision and Order issued on March 13, 1995, which sustained the Medical Board's revocation of the Respondent's medical license.

On September 20, 1995, the Respondent filed a response to the Government's motion, asserting that factual and legal errors were made in the proceedings resulting in the revocation of his medical license in the State of New York. However, the Respondent did not dispute the authenticity of the Medical Board's revocation order or of the Administrative Review Board's order

sustaining the actions of the Medical Board.

On September 27, 1995, Judge Tenney issued his Opinion and Recommended Ruling, finding that the Respondent (1) lacked authorization to practice medicine in the State of New York, (2) lacked authorization to handle controlled substances in that State, and (3) that there was no genuine issue of material fact in that regard. Accordingly, Judge Tenney granted the Government's Motion for Summary Disposition and recommended that the Respondent's DEA Certificate of Registration be revoked. Neither party filed exceptions to his decision, and on October 27, 1995, Judge Tenney transmitted the record of these proceedings and his opinion to the Deputy Administrator.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 C.F.R. 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The deputy Administrator adopts, in full, the decision of the Administrative Law Judge.

The DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he conducts his business. 21 U.S.C. 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld. See Dominick A. Ricci, M.D., 58 FR 51,104 (1993); James H. Nickens, M.D., 57 FR 59,847 (1992); Roy E. Hardman, M.D., 57 FR 49,195 (1992); Myong S. Yi, M.D., 54 FR 30,618 (1989); Bobby Watts, M.D., 53 FR 11,919 (1988). As Judge Tenney correctly noted, "[i]n the instant case, it is clear [that] the Respondent is not authorized to practice medicine in the State of New York, nor is he authorized to handle controlled substances in that State." Although the Respondent asserted that he was licensed to practice medicine in New Jersey, as Judge Tenney noted, such an assertion is irrelevant. The DEA Certificate of Registration at issue in these proceedings was granted to allow the Respondent to handle controlled substances for his medical practice in New York.

Judge Tenney also properly granted the Government's Motion for Summary Disposition. Here, the parties did not dispute the fact that the Respondent was unauthorized to handle controlled substances in New York. The Respondent did assert that the Medical Board wrongfully had revoked his medical license. However, as Judge Tenney correctly noted, the DEA